

EXHIBIT A



Notice of Service of Process

LYN / PERINJ
Transmittal Number: 22126569
Date Processed: 10/07/2020

Primary Contact: Marie Angowski
Bed Bath & Beyond
650 Liberty Ave
Union, NJ 07083-8107

Electronic copy provided to: Michael Wilck
Angela Leary
Kenneth Bradley

Entity:	Bed Bath & Beyond Inc. Entity ID Number 0290995
Entity Served:	Bed Bath & Beyond, Inc.
Title of Action:	Pamela A. Gallagher vs. Bed Bath & Beyond, Inc.
Document(s) Type:	Summons/Complaint
Nature of Action:	Personal Injury
Court/Agency:	Windsor County Superior Court, VT
Case/Reference No:	Not Shown
Jurisdiction Served:	Vermont
Date Served on CSC:	10/06/2020
Answer or Appearance Due:	21 Days
Originally Served On:	CSC
How Served:	Personal Service
Sender Information:	James M. Dingley 802-442-8503

Information contained on this transmittal form is for record keeping, notification and forwarding the attached document(s). It does not constitute a legal opinion. The recipient is responsible for interpreting the documents and taking appropriate action.

To avoid potential delay, please do not send your response to CSC
251 Little Falls Drive, Wilmington, Delaware 19808-1674 (888) 690-2882 | sop@cscglobal.com

JAMES M. DINGLEY
ATTORNEY AT LAW, P.C.
204 SOUTH STREET
BENNINGTON, VT 05201
(802) 442-8503 phone
802-746-4158 fax
Email: dingleylaw@gmail.com

October 1, 2020

W. Sam Hill
Washington County Sheriff's Department
10 Elm Street
P.O. Box 678
Montpelier, VT 05601

Re: **Pamela A. Gallagher v. Bed Bath & Beyond, Inc.**
Docket No.: _____ Wmcy

*26 11-528
Main*

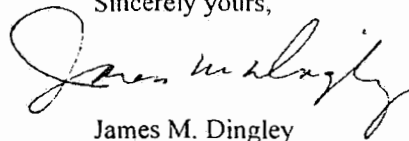
Dear Sheriff Hill:

Please serve civil process upon **Corporation Service Company 100 North Main Street Barre VT 05641-4150**, as registered agent for: **Bed Bath & Beyond, Inc.** Copies of the following documents for service are enclosed:

1. Summons with Self-Rep. form.
2. Complaint.
3. Plaintiff's Demand for Jury Trial.

The original Summons, Return of Service, and a prepaid envelope are enclosed for your use and a deposit check in the amount of \$100.00 for your services. Please send me an invoice for any remaining amount I owe you. Thank you for your kind consideration of this matter.

Sincerely yours,


James M. Dingley

STATE OF VERMONT

SUPERIOR COURT Civil **DIVISION**
Windham **Unit** **Docket No.:**

<i>Plaintiff(s)</i> Pamela A. Gallagher	VS.	<i>Defendant(s)</i> Bed Bath & Beyond, Inc.
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SUMMONS

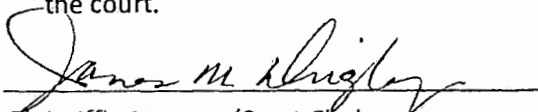
THIS SUMMONS IS DIRECTED TO Bed Bath & Beyond, Inc. (by its Registered Agent)

1. **YOU ARE BEING SUED.** The Plaintiff has started a lawsuit against you. The Plaintiff's Complaint against you is attached to this summons. Do not throw these papers away. They are official papers that affect your rights.
2. **YOU MUST REPLY WITHIN 21* DAYS TO PROTECT YOUR RIGHTS.** You must give or mail the Plaintiff a written response called an Answer within 21* days of the date on which you received this Summons. You must send a copy of your Answer to the [Plaintiff][Plaintiff's attorney] located at: James M. Dingley, Attorney At Law, P.C., 204 South Street, Bennington, VT 05201

You must also give or mail your Answer to the Court located at:
7 Court Street, Newfane, VT 05345; mailing address PO Box 207, Newfane, VT 05345

3. **YOU MUST RESPOND TO EACH CLAIM.** The Answer is your written response to the Plaintiff's Complaint. In your Answer you must state whether you agree or disagree with each paragraph of the Complaint. If you believe the Plaintiff should not be given everything asked for in the Complaint, you must say so in your Answer.
4. **YOU WILL LOSE YOUR CASE IF YOU DO NOT GIVE YOUR WRITTEN ANSWER TO THE COURT.** If you do not Answer within 21* days and file it with the Court, you will lose this case. You will not get to tell your side of the story, and the Court may decide against you and award the Plaintiff everything asked for in the complaint.
5. **YOU MUST MAKE ANY CLAIMS AGAINST THE PLAINTIFF IN YOUR REPLY.** Your Answer must state any related legal claims you have against the Plaintiff. Your claims against the Plaintiff are called Counterclaims. If you do not make your Counterclaims in writing in your Answer, you may not be able to bring them up at all. Even if you have insurance and the insurance company will defend you, you must still file any Counterclaims you may have.
6. **LEGAL ASSISTANCE.** You may wish to get legal help from a lawyer. If you cannot afford a lawyer, you should ask the court clerk for information about places where you can get free legal help. **Even if you cannot get legal help, you must still give the Court a written Answer to protect your rights or you may lose the case.**

7. **NOTICE OF APPEARANCE FORM.** THE COURT NEEDS TO KNOW HOW TO REACH YOU SO THAT YOU WILL BE INFORMED OF ALL MATTERS RELATING TO YOUR CASE. If you have not hired an attorney and are representing yourself, in addition to filing the required answer it is important that you file the Notice of Appearance form attached to this summons, to give the court your name, mailing address and phone number (and email address, if you have one). You must also mail or deliver a copy of the form to the lawyer or party who sent you this paperwork, so that you will receive copies of anything else they file with the court.



Plaintiff's Attorney/Court Clerk

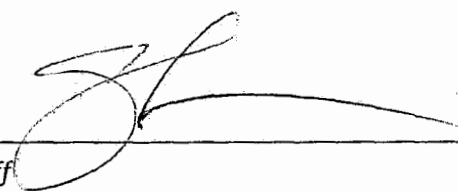
October 1, 2020

Dated

Served on

10-6-2020

Date



Sheriff

* Use 21 days, except that in the exceptional situations where a different time is allowed by the court in which to answer, the different time should be inserted.

STATE OF VERMONT

SUPERIOR COURT Civil **DIVISION**
Windham Unit **Docket No.:**

Plaintiff(s)
Pamela A. Gallagher

VS.

Defendant(s)
Bed Bath & Beyond, Inc.

**NOTICE OF APPEARANCE
For Self-Represented Litigant**

I am the: ☐ Plaintiff ☒ Defendant in this case.

I will represent myself and, in addition to filing the required answer, I hereby enter my appearance with the court. If I decide to be represented by an attorney in the future, either my attorney or I will notify the court of the change.

In representing myself, I understand that I **MUST**:

1. Notify the court in writing of any changes in my address, phone number, or email address.
2. Give or send copies of any papers I file with the court to every other party in this case. If another party has an attorney, I will give or send copies to that party's attorney.
3. File a certificate of service with the court swearing that I have sent the papers I am filing to all parties. I understand that I can find that form on the Vermont Judiciary website or at the court house.

All court papers may be mailed to me by first class mail at the address listed below.

My Street Address	My Mailing Address (if different)
<i>Name</i>	<i>Name</i>
<i>Address</i>	<i>Address</i>
<i>Town/City</i> <i>State</i> <i>Zip</i>	<i>Town/City</i> <i>State</i> <i>Zip</i>
<i>Phone Number (day)</i>	<i>Phone Number (day)</i>
<i>Email Address</i>	<i>Email Address</i>

Dated

Signature

Printed Name

STATE OF VERMONT

SUPERIOR COURT
WINDHAM UNIT

CIVIL DIVISION
DOCKET NO. _____

PAMELA A. GALLAGHER

Plaintiff

v.

BED, BATH & BEYOND, INC.

Defendant

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COMPLAINT

NOW COMES PAMELA A. GALLAGHER (hereinafter referred to as, "plaintiff") and hereby complains against BED, BATH & BEYOND, INC., (hereinafter referred to as "defendant") as follows:

1. Plaintiff is now, and at all times mentioned in this complaint was, an individual residing in the Town of Londonderry, County of Windham and State of Vermont.
2. Defendant is now, and at all times mentioned in this complaint was, a foreign corporation registered to do business in the State of Vermont with a principal address in the State of New Jersey.
3. At all times mentioned in this complaint, defendant owned, operated, leased and controlled a retail store known as "Bed, Bath & Beyond" located in a shopping plaza along U.S. Route 7 in the Town of Rutland, County of Rutland, and State of Vermont.

4. At all times mentioned in this complaint, defendant's store was open to the public for shopping during regular business hours.
5. On October 10, 2017, plaintiff entered defendant's retail store during regular business hours for the purpose of shopping.
6. At all times mentioned in this complaint, defendant had the duty to maintain the retail store, including merchandise and fixtures, in a reasonably safe condition for retail customers, including plaintiff.
7. At all times mentioned in this complaint, defendant had the duty to provide a retail store that was reasonably safe so that customers, including plaintiff, could shop in its store and not become injured.
8. In violation of these duties, defendant had erected and maintained a certain overhead display fixture in an area of the retail store that created an unreasonable risk of injury to customers, and could reasonably foresee that a customer, such as plaintiff, could be hit and injured.
9. On the date first mentioned above, while plaintiff was shopping in the retail store, and moving about with due care, an overhead fixture from a display fell and struck plaintiff in and around her head and upper extremities.
10. As the direct and proximate result of the fixture falling off the display, plaintiff sustained injuries, including, but not limited to, headaches, cuts, abrasions, bruising, soreness, swelling, a concussion type injury, and spinal and neurological injuries.

11. The direct and proximate cause of plaintiff's injuries was defendant's negligence in failing to provide a reasonably safe retail store for shopping.
12. The above-described injuries to plaintiff were caused solely and proximately by the direct or circumstantial negligence of defendant and without any contributory negligence on her part.
13. As the direct and proximate result of defendant's negligence, plaintiff was made sick, sore, lame, and disabled.
14. As the direct and proximate result of plaintiff's negligence, plaintiff has suffered, and still suffers, great conscious physical pain and nervous and mental anguish injuries, and plaintiff is informed and believes, and on that ground alleges, that she will continue to suffer the same damages in the future.
15. As the direct and proximate result of defendant's negligence, plaintiff has incurred and will continue to incur medical bills for necessary and reasonable medical care and treatment related to the injuries as described in this complaint.
16. As the direct and proximate result of the negligence of defendant, plaintiff has sustained permanent and serious neurological injuries.
17. As the direct of proximate cause of defendant's negligence, plaintiff has suffered and still suffers, a loss of enjoyment of her life, of companionship, and plaintiff is informed and believes, and on that ground alleges, that she will continue to suffer the same damages in the future.

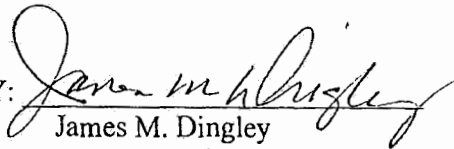
18. As the direct and proximate result of defendant's negligence, plaintiff has suffered humiliation and embarrassment.

WHEREFORE, plaintiff demands judgment against defendant as follows, according to proof, past, present, and future in nature:

1. General damages.
2. Medical and related damages.
3. Pain and suffering damages.
4. Loss of enjoyment of life.
5. Costs.
6. Other damages as the Court deems just and proper.

Dated at Bennington, Vermont, on October 1, 2020.

PAMELA A. GALLAGHER:

BY: 
James M. Dingley
Attorney at Law, P.C.
204 South Street
Bennington, VT 05201
(802) 442-8503
dingleylaw@gmail.com

STATE OF VERMONT

SUPERIOR COURT
WINDHAM UNIT

CIVIL DIVISION
DOCKET NO. _____

PAMELA A. GALLAGHER

Plaintiff

v.

BED, BATH & BEYOND, INC.

Defendant

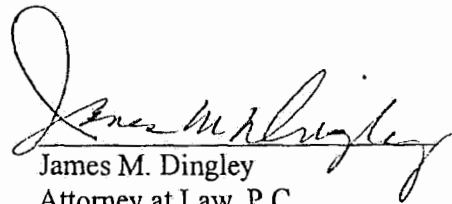
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PLAINTIFF'S DEMAND FOR TRIAL by JURY

Pursuant to the Vermont Rules of Civil Procedure and the Vermont Constitution,
Plaintiff PAMELA A. GALLAGHER hereby demands a trial by jury on all issues so
triable.

Dated at Bennington, Vermont, on October 1, 2020.

Plaintiff's Attorney:



James M. Dingley
Attorney at Law, P.C.
204 South Street
Bennington, VT 05201
(802) 442-8503